

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARKEL INTERNATIONAL INSURANCE COMPANY	:	CIVIL ACTION
	:	
Plaintiff	:	
	:	
v.	:	NO. 08-1052
	:	
2421 SALAM, INC. t/a ABAY	:	
	:	
and	:	
	:	
TYJUNIA SNELLING, as Administratrix of the Estate of Claude Demetrius, Dec'd	:	
	:	
Defendants	:	

**ORDER**

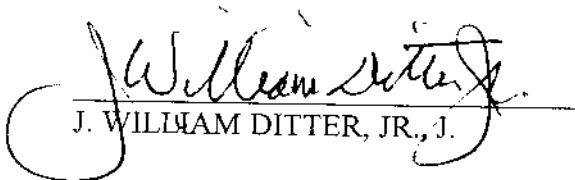
AND NOW, this 30<sup>th</sup> day of April, 2009, upon careful and independent consideration of the cross-motions for summary judgment filed by Plaintiff Markel International Insurance Company ("Markel") (Doc. 17) and Defendant Tyjunia Snelling (Docs. 18 & 19), and the responses filed thereto by each party, and after review of the Report and Recommendation of United States Magistrate Judge David R. Strawbridge, it is **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The motion for summary judgment filed by Markel is **GRANTED**;
3. The motion for summary judgment filed by Defendant Tyjunia Snelling is **DENIED**;
4. Final Judgment is **ENTERED** in Markel's favor against Defendant Tyjunia Snelling;
5. The Court **DECLARES** that Markel has no duty to defend or indemnify 2421 Salam, Inc. t/a Abay for the claims asserted against it in the action filed by Defendant Tyjunia Snelling in the Philadelphia Court of Common Pleas, docketed as *Tyjunia Snelling, as Administratrix of the Estate*

*of Claude Demetrius Snelling v. Abie K. Wasie d/b/a Abay Wheeler's Bar*, November Term 2007,  
No. 3496; and

6. The Clerk of this Court shall mark this case **CLOSED** for statistical purposes.

BY THE COURT:

  
J. WILLIAM DITTER, JR., J.